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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/786,458	07/26/2004	Maximilian Arzberger	P69487US0

00136

JACOBSON HOLMAN PLLC  
 400 SEVENTH STREET N.W.  
 SUITE 600  
 WASHINGTON, DC 20004



CONFIRMATION NO. 9322

## FORMALITIES LETTER



\*OC000000012751502\*

07/22/2004 HALI11 00000067 10786458

770.00 OP  
 130.00 OP

01 FC:1001  
 02 FC:1051

Date Mailed: 05/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

T.TU  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Maximilian ARZBERGER

Serial No.: 10/786,458

Filing Date: February 26, 2004

For: METHOD FOR MAKING A TRENCH WALL IN THE GROUND,  
TRENCH WALL CUTTER AND TRENCH WALL CUTTING DEVICE

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. §1.53(b)**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: **APPLICATION BRANCH  
MISSING PARTS OF APPLICATION**

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), mailed **May 24, 2004**, copy attached.

- ☒ Declaration in compliance with 37 C.F.R. §1.63.
- ☐ Declaration in compliance with 37 C.F.R. §1.63, attached to copy of application as originally filed.
- ☐ Small Entity Declaration under 37 C.F.R. §§1.9 and 1.27.
- ☐ Certified copy of **\*\*** Application No. **\*\***, filed **\*\***, the priority of which is claimed under 35 U.S.C. §119.
- ☒ If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.



Serial No.: 10/786,458

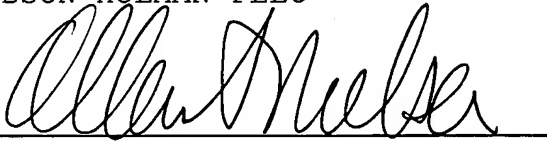
X Filing Fee, calculated as follows:

	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$385.00	\$770.00	770.00
Total Claims <u>9</u> - 20 = <u>0</u>	(x \$9) =	(x \$18) =	.00
Indep. Claims <u>2</u> - 3 = <u>0</u>	(x \$43) =	(x \$86) =	.00
<u>X</u> Surcharge: Late Filing	+ \$65	+ \$130	130.00
			+
	<b>TOTAL FILING FEES</b>	<b>\$</b>	<b>900.00</b>

A Credit Card Payment Form authorizing the amount of \$900.00 is enclosed to cover the Filing Fee and late filing surcharge. The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By 

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Atty. Docket No.: P69487US0  
Date: July 21, 2004  
ASM/cmf